REPORT

FROM THE

SELECT COMMITTEE

On the existing Regulations relative to the making and the sale of

BREAD.

Ordered, by The House of Commons, *to be Printed,*
17 *April* 1821.

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REPORT.

THE SELECT COMMITTEE appointed to take into consideration the existing Regulations relative to the making and the sale of Bread, and to report their Observations thereupon to The House;—

HAVE proceeded, in pursuance of the orders of The House, to consider the operation of the Act now in force; viz. the 59th Geo. III, c. 36, intituled, "An Act to repeal certain Acts now in force for regulating the making and sale of Bread out of the city of London, and the liberties thereof, and beyond the weekly bills of mortality, and ten miles of the Royal Exchange, where no Assize is set; and for establishing other provisions and regulations relative thereto." And they have further taken into consideration, the Report of a Committee, dated 22d May 1818, to whom the several petitions of country Bakers, presented to the House on the 11th of February, and on the 3d and the 10th of March of the same year, were referred, to examine the matters thereof, and report their observations thereupon to the House; and your Committee have to express their entire concurrence in the said Report; "That under the statutes referred to in the above named petitions, the operation of the said statutes has, in many instances, been made an instrument of oppression against the fair tradesmen, who, by the power given to informers of seizing Bread, at any time distant from the period of its being baked, and of keeping it three days after seizure, before he can be compelled to have it weighed before a magistrate, are liable to informations and consequent convictions, from which the necessary waste of the article from keeping, makes it impossible for them to protect themselves, but by baking their loaves of such an excess of weight beyond what the law requires, as must totally exhaust their reasonable gains, and make their trade no longer an object worth the employment of their time and capitals. From these vexations, aggravated as they have been by the practice of common informers, Your Committee feel the country Bakers are entitled to the earliest consideration of the Legislature to relieve them; and though they do not consider that they have either had time, or that the late period of the session is likely to give them time, to investigate all the minute details of the subject, that might be necessary to enable them to recommend any measure of permanent legislation, they see no difficulty or inconvenience that can occur to the public, if the Legislature should think proper to extend, to the country Bakers, the provisions of the Act of the 55th of the King upon this point, with some alteration only as to the period within which Bread should be liable to be weighed, for a limited term, which would give time for a more full and detailed examination of the subject."

But it does appear to Your Committee, that the provisions and regulations proposed by that Committee, and subsequently adopted by the House, with a view to redress the grievances complained of in the aforesaid petitions, and with a view, doubtless, at the same time, to retain for the benefit of the public, those means of protection against imposition in the manufacture and sale of Bread, which previous Acts of Parliament were intended to afford, have not been effectual for either of the above named purposes. It has, in fact, been practically found, that in the attempt to protect the Baker from unjust prosecutions, the public has been exposed to material injury. In provincial districts, reports from the counties of Norfolk and Dorsetshire, (see Appendix) especially prove, that it has been found extremely difficult, if not impossible, to convict the Baker or seller of Bread, deficient in legal weight.

1st.—Because the complaint must be made, the summons must be served upon the accused, and the Bread alledged to be deficient in weight, must be weighed before a magistrate, within 24 hours of the time at which it was drawn from the oven.

2dly.—Because the Bread supposed to be deficient in weight, must be proved, when produced before the magistrate, to be in the same state as it was when taken from the Baker or seller of the Bread; proof of which must be afforded by a disinterested witness or witnesses on behalf of the complainant.

On the part of the Baker and seller of Bread, it has been proved by the evidence, taken before Your Committee, of respectable Bakers in the metropolis, (which evidence is subjoined in the Appendix,) that it is impossible for the Baker, even under the present law, (enacted especially for his protection,) to guard against vexatious and unjust informations for selling Bread deficient in weight. It appears, that unless the Baker makes all the loaves in a batch, upon an average, so heavy as to cover the partial deficiency of weight in any of them, (occasioned either by their particular position in the oven, or from some part of one loaf unavoidably adhering to the other,) there must be loaves which, without any fraudulent intention on the part of the Baker, would be deficient in weight, and render him liable to conviction under the existing law. It is obvious, that were the Baker to adopt the only course which could give him security, namely, that of making the batch of loaves so much over weight as to cover the partial deficiency in any of them, his price being fixed upon the minimum of weight among the loaves of the batch, he must lose his profit upon the average of loaves, or sell at a rate above the prevailing prices, which would be the means of losing his customers. It has also been stated in evidence, that the present law relative to the sale of Bread, fails in affording the Baker protection against the persecution of common informers. Individuals of their trade, known to themselves, have been induced by threats from that class of persons, to enter into a sort of compromise with them, and to bargain, that upon payment of a certain sum per month, they should be allowed, with impunity, (so far as the informer of the district is concerned,) to impose upon the public by selling their Bread deficient in weight. Whatever their original disposition therefore might be, after entering into such an agreement, it is natural to conclude, that they indemnify themselves to that amount at the expense of the public.

The nugatory, and consequently mischievous tendency of the existing law, holding forth to the public an expectation of protection, which, in reality, it does not afford, thereby suspending the caution natural to all men in their own defence, appears to be sufficient objection to the existing law,

law, so far as concerns the public; and on the part of the Baker, sufficient evidence of the inutility of the law has been afforded by the persons extensively engaged in the trade, who have been examined before Your Committee.

It thence became a question, what improvement in the law could be made? A deliberate review of the subject has been taken by Your Committee; and confirmed, as they have been in their consequent opinion by letters (subjoined in the Appendix) from individuals of high respectability in different parts of the kingdom, they have no hesitation in recommending that the law relative to the sale of Bread, should in future (or for one year at least) impose no restriction as to the denomination of loaves, or their weight. It has been perceived, that from the Act of 51 Henry III, which went the length of regulating the sale of provisions generally, the legislative restrictions then imposed have from time to time gradually abated. Competition has been found, in most cases, effectually to supply the place of legislative regulation. It is competition alone which now regulates the price of bread where no assize is set. And Your Committee cannot discover any reason for supposing, that it would fail upon trial equally to secure to the public a fair quantity of this, as of all other articles of subsistence, which are sold by weight generally without restriction.

Your Committee have been informed, that the practice of selling Bread, free from all restrictions, has prevailed in some districts of the kingdom for many years. Communication has been had with some of those districts; and the letters subjoined will state, that no complaint is there heard against the Bakers, and that Bread has been, and continues to be, sold in such places, of excellent quality, and at the lowest possible price.

Your Committee have no intention to recommend an alteration of the law so far as it relates to the adulteration of Bread, otherwise than by the increase in some small degree of the penalties attaching to any person convicted of selling Bread adulterated by the mixture of ingredients not allowed by law.

The retaining part of the existing law also, which enacts, "that every Baker or seller of Bread, shall keep legal weights and scales in his shop to weigh Bread when required by his customers, and that he shall be liable to a penalty in case of his refusal to weigh when so required," appears to Your Committee to be most expedient; but when by these means, facility has been afforded to the public to protect itself, it appears conclusive that the Legislature can do no more to secure it against imposition.

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APPENDIX.

(A.)

COMMUNICATIONS TO THE COMMITTEE.

Dear Sir, Kilverston, 13th February 1821.

(A.) Communications to the Committee.

MAY I be allowed to draw your attention to the statute of the 59th Geo. III, c. 36, relative to the baking of Bread, as I feel confident I cannot commit a subject, in which the poor are so intimately connected, into better hands. By section 11, it is enacted, that all Bread shall be weighed in the presence of a magistrate, before whom the offender shall be summoned, and evidence given that the Bread is in the same state within twenty-four hours after it shall have been baked. It is quite impossible to fulfil the provisions of this clause, and punish the most notorious offender, because no inspector or buyer of Bread can ascertain the precise time when it shall be drawn from the oven, unless present at the moment; and Bread must be deficient, that will not weigh considerably more than the standard weight at that time; and it is well known that bread may be kept hot almost twenty-four hours after being baked. Secondly—An inspector or buyer could not proceed to a magistrate, procure a summons, and serve it on the Baker, unless the magistrate happened to reside very near indeed, within the time allowed; and the law declares a party summoned, shall have reasonable notice, and that he ought not to be required to attend on the day on which he shall be served with the summons.

How such a clause could have been suffered to pass through the house, has astonished every one who has paid any attention to the subject, and its consequence has been, that no inspection of Bread has taken, or can take place; and the poor, who are the great consumers of Bakers' Bread, (in the country more especially) are left entirely at the mercy of the Bakers.

It may perhaps be said, that by the 3d Geo. III, c. 11, the Baker was subject to vexatious complaint, as a very old loaf which might be deficient in weight, would render him liable to a penalty, according to the letter of the Act; perhaps he might be, (the Act gave the magistrate a certain discretionary power) as Bread might be complained of at any time within twenty-four hours after it should have been purchased. But no magistrate could ever have taken an improper advantage of a Baker, but every allowance must have been made, according to the merits of the case; no honest tradesman could, however, be under any apprehension from the former Act, as from my own experience, I know that the Bread of some Bakers, taken at any time, has always been of full weight, while that of others is almost as constantly deficient

I feel more anxious that this offensive clause should be repealed, because, even under the former Act, it was in vain to attempt to discover offenders by the assistance of the constables of a parish, and I had lately found the most beneficial effect from employing a stranger, especially appointed for that purpose, and the neighbourhood were fully satisfied of the advantage derived from such a plan; but since the late Act has been passed, all proceedings against Bakers and sellers of Bread have been abandoned.

I have the honour to be, Dear Sir, Yours most obediently,
John Wright.

To the Chairman of the
Committee on the Assize of Bread.

Extract of a Letter from Mr. Frampton, Magistrate in Dorsetshire.

Dear Sir, Moreton, 25th March 1821.

I HAVE given all the attention in my power to your questions, respecting the alteration of the laws relating to the sale of Bread, and have had an opportunity of consulting three other magistrates, whose opinions I am happy to find coincide with

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with my own. As none of us were in the smallest degree aware that the old law was found, in practice, to expose the fair dealer in Bread to persecution, we have never given the subject any consideration further than the absolute necessity of the immediate repeal of the 59th Geo. III, c. 36, at least the provisoes in the 11th section. And although you state there is a volume of evidence before a Committee of the House of Commons to prove that fact, which gave rise to a repeal of the old law, and the enactment of the new, I confess we cannot help looking with a very suspicious and jealous eye on any evidence which could produce an enactment which has rendered the conviction of an offender impossible.

To the Chairman of the
Committee on the Assize of Bread.

Extract of a Letter from Manchester, dated March 19th.

Sir,

I FIND on inquiry, that the prevailing mode of selling Bread has for some years been by the pound. The present prices are, for

Bread made of fine flour - - - - - - - 1½*d.* per lb.
- - - - of second - - - - - - - 1½*d.* per lb.

There is some brown Bread made, but since the present low prices, it is little in demand, and the price consequently cannot be quoted with accuracy.

Ashton and Mascall (two dealers) do not profess to sell by weight. Their charge is by the loaf. They supply, perhaps, the principal part of the more opulent families, and profess to make their Bread of a quality superior to that of the other dealers, but the size of their loaves is still regulated in their own arrangements by weight. They consider their present prices to be one farthing per lb. above what I have quoted as those of the other dealers.

The Bread used by the poor, almost universally passes through the scales, for the supply of each individual customer; and in a great many shops loaves are cut, and any quantity may be bought by weight down to a single pound.

—— *Wood,* Merchant.

To the Chairman of the
Assize of Bread Committee.

Sir, Tittleshall, March 22, 1821.

AS you have so kindly encouraged me to give my sentiments on the repeal of the Bread Act now under your consideration, having the regulations that are intended to be adopted much at heart, knowing the essential service that a proper system will render to the kingdom at large, but more especially to the lower classes, I venture once more to intrude myself on your attention.

From the low price of wheat at this juncture, there exists a great murmuring and dissatisfaction amongst the labourers and their families, at not only the high price of Bread, but at the impossibility, as the law now stands, of convicting the nefarious and fraudulent weight of the several description of loaves. I will give you a recent instance. On Monday last, just after I had sent my letter to you to the post, I followed a Baker's cart *full of* Bread into the yard of a retailer in this parish, who is a shopkeeper, and on examining the loaves I found them *hot from the oven,* and am convinced (though I could produce no proof of the fact) that they had not been baked more than three or four hours at the utmost. I weighed these hot loaves, found every one of them deficient; *many* 1½ *oz. many much more*; but it was impossible to obtain information of the fact on oath, and the delinquent glories in his fraud, and escapes the punishment he so richly deserves. I am still fully persuaded of the propriety of selling Bread *by weight,* and in answer to your objection of the poor being a debtor to the Baker or retailer, (which latter, in the country where no Baker resides in the village, is a little shopkeeper,) I beg to remark, that the same objection may hold good to every article of consumption purchased of the shopkeeper by the labourer, viz. soap, *flour,* tea, sugar, butter, and *cheese*—all articles absolutely necessary for a poor man's consumption, and sold by *weight.* We have a surveyor in every hundred, who constantly goes through the several towns and villages examining all the scales and weights in the several shops, and bringing informations against those persons in whose possession they find any deficient or illegal, and therefore I hope and trust the poor are not imposed upon by those articles which

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are so essential to their comfort, though purchased by *weight*. Why then, let me ask, should they be imposed upon in the article of Bread? But should any other objection be started by the Committee which at present I do not foresee, I hope they will see the propriety of selling the loaves of Bread by *equal pounds*; I mean by loaves of 2 lbs. 4 lbs. or 6 lbs. that the poor illiterate purchaser may not be imposed upon, and that the odd ounces in every description of loaf may be totally done away, and that the several loaves may be so marked as to distinguish both quality and weight, viz. the 2 lb. wheaten loaf a figure of 2 with the Roman W. upon its crown. The 4 lbs. standard wheaten Bread with the figure 4 and an S. W.; and the household with a figure 6 and an H, or as the different sorts of Bread or weights of loaves may be. If there is any information on this most important article to the poor that you think I can give any assistance in answering, I shall be most happy and ready at all times to obey your commands.

I have the honour to be, Sir, your most obedient servant,

Rev^{d} (signed) *Dixon Hoste.*

To the Chairman of the
Assize of Bread Committee.

Sir, Hastings, 28th March 1821.

INQUIRY having been made upon the subject, which now occupies the time and attention of the Committee, relating to the laws which regulate the sale of Bread, and under all the considerations of this important inquiry, I beg leave to express my opinion, but with great diffidence, that it would be better both for the public and the Baker, that the trade should be unfettered by any specific legislative restrictions; it appears to me, that many persons who are now afraid of exposing themselves unwarily to the penalties of the law, might be induced to engage in this branch of business if the grounds of such apprehensions were removed; and that the number of Bakers being increased, would give to the public the benefit of a greater competition.

I have the honour to be, Sir, your obedient humble servant,

Edw^{d} Milward.

The Chairman, &c. of the
Assize of Bread Committee.

My dear Sir, Exeter, April 2, 1821.

THE Mayor has this day shown to me a letter he had received from you, and his answer. It is rather singular, I was thinking of writing you on the subject, as nothing can be worse than the law as it now stands in respect of the Bread.

The late Act of Parliament did every thing in favour of the Bakers, and altogether precluded the magistrate from taking any effectual steps for protecting the public from imposition.

I should recommend that Bread be sold by the lb. and the size or weight to be stationary loaves of 2 lb. 4 lb. 8 lb. and 16 lb. each.

I take these proportions to prevent fractions, and as they nearly agree with the half quartern, the quartern, half peck and peck, many poor people would then be able to weigh the loaf, for few are without a 1 lb. or 2 lb. who have not 2 lb. 2 oz. 12 dwts. in their house.

All Bread should be weighed to the customer; it should be compulsive on the part of the Baker, and those selling Bread, to weigh out to his or their customers; as the matter stands at present, every customer may demand to see it weighed, but that request looks like suspicion, and therefore seldom demanded.

The Mayor has made some very sensible remarks, as to the more easy method of detecting the fraudulent Baker, by giving the power to the magistrate on information (not on oath) to weigh the Bread of any Baker; I should propose not less than six loaves to be weighed at a time, as accident may have rendered one loaf not weight.

In the old Act, Bread was required to be of proper weight in 48 hours after baking, and now 24 hours. Query.—Did the Legislature, taking into calculation how much more was required before Bread went into the oven, to be put into the scale by the original assize, than as it stands at present, when it is required to hold its weight only half the time?

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It is a circumstance not generally known, that in this city, wheat is sold by a larger measure than is common in other markets; for instance, the bag which nominally contains only 2¼ bushels Winchester, is warranted to weigh the half hundred; the last peck being heaped measure, makes the bag weigh 168 lbs. that is from 67 lbs. or 68 lbs. per bushel; now the average of the kingdom, by which the assize is set, is 57¼ lbs. per bushel, making a difference of nearly 20 per cent, which, in some measure, accounts for the Bakers being able to sell in this city, at this moment, the quartern loaf at 6*d.* when the assize is set at 8½*d.* a reduction of 36 per cent.

I remain, yours very faithfully,
(Signed) *Tho' Flood.*

To the Chairman of the
Assize of Bread Committee.

Monday morning, 2d April 1821.

Extract of a letter from George Banks, esq. Alderman, and late Mayor of Leeds, dated Leeds, March 29th, 1821.

Sir,

WE have no regulations on the subject; it is a common practice here for private families to make their own Bread, and those who expose the article for sale are under no restrictions as to weight or bulk, but are left entirely to what I conceive the most natural and best plan, namely, competition; and I think I am warranted in this opinion, when I tell you, that I never yet remember an occasion, when either the weight or quality of Bread has been a subject for the interference of the magistrates.

To the Hon. Edward Harbord,
Chairman of the Bread Committee.

Sir,

THE repeal of the 59th Geo. III, c. 36, seems to be indispensably necessary for the protection of the public against imposition.

The *onus probandi*, in a complaint, that the Bread is precisely the same as when bought, ought naturally to lie on the seller. If an information be laid against me for killing game, upon the presumption that I am not qualified to kill, the proof of qualification lies on me, that I have a qualification, and not on the complainant, that I have not.

Query 1st.—To leave the form or shape of Bread to the judgment of the Baker, would evidently be mutually advantageous both to the seller and the buyer: a poor person might have money to purchase a pound or half, or might not have occasion for more; the Baker, therefore, being frequently applied to for such a particular weight, would so shape his loaves, as to cut them with the least possible waste, if he had not one of the exact weight; the Bread ought invariably to be weighed in the presence of the purchaser, as is the case with tea, sugar, meat, &c. If the Bread be suspected to be unfairly weighed, it may be weighed in the scales of an indifferent person, which scales to be certified to be just, according to the standard weight, when last examined by a constable; and if short of weight, to be returned, and if refused to be taken again by the Baker, information laid before a magistrate; penalty, from 20*s.* to 5*s.*

Query 2d.—By leaving the sale of Bread, like meat, without restrictions, every difficulty will be avoided; competition will be a general protection to the purchaser; for should fraud be practised, the Baker will be the sufferer; as the fairest dealer will have the most custom.

Query 3d.—Bread delivered to customers, at their own houses, will, it is probable, be weighed by them; but there will be no trouble in taking scales and weights in the cart or wheelbarrow with the Bread, nor loss of time in weighing it, as much time being usually taken up in gossiping as the weighing would require.

Query 4.—Answered above.

General Observation:

An advantage will accrue to the public from the sale of Bread by the pound, in the following way:—The Baker is allowed 13*s.* 4*d.* on every sack of flour; but the miller, calculating

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calculating upon its producing forty gallon loaves, allows the Baker no more than 10 *s.* When it is sold by the pound, the miller could not make so nice a calculation. The difference, therefore, would be to the advantage of the consumer.

However the Baker may be freed from vexatious restrictions, he ought to be subject to a penalty, and a severe one, if he uses any ingredient non-prohibited, and if any such found in his possession, &c. which renders Bread unwholesome.

Bread, after taken out of the oven 48 or 24 hours, loses its weight, an allowance should be made by the Baker, and he will willingly sustain the loss, that he may get rid of his stale Bread. I do not know any notice given in the House of Commons, which has excited, generally, a stronger sensation than this, respecting the sale of Bread. From my situation as vicar, I have frequent conversations with every description of people. Housekeepers, and particularly the poor, have expressed the most sanguine hopes, in which the Bakers unite, that Bread will be sold by the pound. The community at large, including the Bakers, derive expectations of advantage from competition.

I have had much conversation with an intelligent Baker, to whom I have read the above. He astonished me about competition, assuring me, that Bread is sent in this neighbourhood, two or three times in the week, the distance of nine miles.

Vicarage, Christchurch, Hants,
April 3.

Addressed to
The Chairman of Committee of Assize of Bread.

Sir, Wrottesley, April 5th, 1821.

THAT I might be enabled more satisfactorily to answer your queries, I attended a meeting of the principal Bakers of Wolverhampton and Bilstone, to whom I communicated your letter. The Bakers unanimously prefer returning to their old custom of selling one shilling, sixpenny, and three penny loaves, which was abolished by an order of sessions above twenty years ago, requiring them to make loaves of the statute weight, leaving the price to competition; and in no instance regulating it by the assize. Upon being asked whether, in case the Committee should not think proper to adopt that custom, they had rather sell by the pound, than be subject to the present laws, their opinion was, that selling by the pound was preferable to the vexations experienced from informers, many convictions having lately taken place; but which, if their statement was correct, must have been quashed by an appeal. To this they answered, the expense of the appeal was too great to risk. Some thought, that if Bread was sold by the pound, the retail dealers might take large loaves of any size in tin pans, and sell it by cutting slices, and that the nicety required to make Bread of the proper weight and usual appearance, was an advantage the experienced Bakers would lose.

When it was objected, that the only mode of allowing shilling and sixpenny loaves would be by leaving the trade open altogether, and consequently depriving the Baker of his experience and science in adjusting the weight of his loaves, that argument was abandoned; nor should I have mentioned it, had I not promised them faithfully to transmit an account of their opinions.

Having stated the result of the meeting, I shall proceed to answer you.

Query 1.—The sale of Bread by the pound would, in my opinion, be an amendment of the law, calling upon the Baker to weigh all Bread if required, but making out his account and charges for Bread at a certain rate per pound, subjecting him only to such penalties as other dealers in Provisions are liable to for selling under weight.

N. B.—This opinion does not extend to abolish laws against adulteration.

Query 2.—No difficulty appeared to the Bakers upon the fluctuation of price, or delivery to the customers.

Upon their proposal to sell shilling and sixpenny loaves, I must observe, that the dissatisfaction has been less in times of scarcity, since the loaf has increased in price, instead of decreased in weight, in this populous county, where I have too often been called upon to quell disturbances arising from the high price of provisions.

In all cases where the retail dealer is under the control of the Baker, or where masters provide their workmen with provisions, (and cannot be prevented by any

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laws you can enact,) in the loaves they would serve the labourer with what weight they chose, and the poor would be very heavily dealt with, if not protected by laws enforcing weight.

I have the honour to be, Sir, your most obedient humble Servant,

(Signed) *J. Wrottesley.*

Hon. Edw. Harbord,
Chairman of Committee
on Bread Laws.

Sir, Manchester, April 6th, 1821.

I DO not know in what manner I can better answer the queries submitted to me respecting the trade in Bread, than by referring to the practice of this most populous town and neighbourhood, where the most perfect freedom from restraint exists, and where no practical inconvenience whatever is found to arise therefrom.

I do not know that any law exists which would effect the Bread trade of this place, if acted upon, if there be any, it is a dead letter. I have made inquiry from several of our principal Bakers and dealers, who tell me that no law is in operation by which they are affected, and that their trade is as free from disputes as any other. They consider the actual competition between each other as a sufficient security against imposition. If the consumers get smaller sized loaves, are of worse quality from one Baker than another, the fact will soon be generally known in the neighbourhood, and the shop be deserted which supplies the inferior article.

To me it appears that the Bread trade may be left with even greater safety than any other, to that best of all securities against fraud, the effects of free competition. Bread is the daily food of all classes of people. Every one is therefore interested, *every day of his life*, in having it of the best kind and at cheapest rate.

Query 1st.—I see no necessity for a law to compel the sale of Bread by weight; here it is sold in part by weight, and in part at a fixed price per loaf, varying according to the variations in the price of flour. The seller fixing it of course as high as he can, subject to the check which tells him that he will lose his custom if he asks too much. The size of the loaves is here quite optional. The distinction of "quartern," &c. is not known; different Bakers make them of different sizes, and at different prices.

Query 2d.—I am told that when sold by the pound, no practical inconvenience arises from the fractions of pence, any more than in other retail trades, a slice of Bread in addition, or a row of pins, often makes up the difference to the satisfaction of both sides. The price per pound is often fixed at the fraction of a farthing.

Query 3d.—I do not apprehend any difficulty in this case. Suppose a family to employ one Baker, regularly to weigh one loaf in a dozen or in a score will be an adequate check. To deliver a bulky article from door to door will necessarily entail additional trouble and expense on the seller, and for this he should doubtless be remunerated, but after all, the trouble is not increased, whether the seller sends out his goods or the buyer fetches them; the transit takes place, and will be regulated according to the convenience of the parties.

Query 4th.—If weighing be necessary to secure consumers from imposition, the expense thereof must be submitted to, and the system will after all be in fact the most economical; but if every loaf were weighed, either in the shop or when delivered at the door, I do not apprehend the trouble would be found so great as appears to be feared. What is practised here in a population of 120,000 souls without inconvenience and with mutual satisfaction, will be equally practicable in London. It is not the custom here for the Baker to send Bread out for sale, but I am told it is occasionally done, and weights and scales carried with it.

After the foregoing observations, I scarcely need add that to secure to the poor the largest quantity of good Bread at the cheapest rate, and to protect the seller from unjust prosecutions, will, in my opinion, be most effectually accomplished by removing every Parliamentary restriction, and leaving the trade to the self-regulating control of public opinion.

I shall have pleasure in transmitting any further information that may be wished for, if within my power.

I am, Sir, your very faithful servant,

(Signed) *Geo. W. Wood.*

To the Committee on
Assize of Bread.

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Communications to the Committee.

Dear Sir,

THE difficulty of proving a complaint of short weight of Bread under the Statute, is of little consequence to the public, the magistrates having a power to search Bakers' shops, and weigh the loaves at any time. Bread is now sold by weight, and could as easily be sold by two, three, or four pound loaves; but the allowance for the decrease of weight from its being stale must be considered as at present, Bread decreasing in weight one ounce and a half the first, and nearly one ounce per day afterwards. It would therefore be nearly the same thing, and many articles (particularly grocery) of general consumption, are not weighed in the purchaser's sight, but previously done up ready for sale, and the buyer may weigh his loaf if he likes. The regulation in price could not be less than $3\frac{1}{2}d.$ per stone, consequently no Bread under one pound could come under its operation. Bread is sent round by country Bakers a distance of 20 or 30 miles, by a boy in a cart. It would be scarcely practicable to weigh out to the different customers without a considerable additional expense, which must fall upon the customers; because, if so, more, and a better description of servants must be employed.

The idea of a combination between Millers and Bakers is too ridiculous to need refuting. Since the application of steam to the purpose of grinding corn, the power now employed is so much more than required, that all markets are completely glutted with flour; and the best thing the Legislature could do, would be to repeal all the statutes relating to Bread, and leave the Bread, as in all other articles of necessary and daily consumption, to regulate itself; there will always be sufficient competition to insure the customer his Bread at even a bare remunerating price for the manufacture of it.

T. Gill, Thetford.

To the Chairman of the
Committee on Assize of Bread.

(B.)

MINUTES OF EVIDENCE TAKEN BEFORE THE COMMITTEE.

Mercurij, 21° *die Martij*, 1821.

The Honourable EDWARD HARBORD in the Chair.

Mr. *James Johnston*

Called in; and Examined.

(B.) Minutes of Evidence.

Mr. James Johnston.

YOU reside in the Strand?—I do.

Your business is a bread and biscuit baker?—Yes, it is.

Have you extensive dealings in the trade?—I have an extensive knowledge of the trade.

Are poor persons in the habit of coming to your shop for bread?—Yes.

Do they frequently request the bread may be weighed?—I never had an instance of it.

Have you had any complaints made of bread being deficient in weight by your customers?—Only once.

Have you been subjected to prosecution owing to those complaints?—Never myself.

But you know that others in the trade have?—I know that great numbers have.

You have had no information against you for selling light bread whatever?—No, none whatever.

Have those complaints made against other people, been followed up by conviction?—Yes, great numbers; most of them have.

Those instances have occurred entirely in the metropolis?—Yes, in the metropolis.

You know nothing of the country?—No.

Do you conceive that the present law is a good one, as far as regards the public and the baker?—I think not.

What are its defects?—I consider that the public, relying upon the penalty upon bread being sold deficient in weight, are negligent in seeing that they have their due weight of bread which they purchase, conceiving that the baker is afraid of incurring that penalty; if the penalty was removed from the weight of the bread, and the baker was compelled to sell the bread by the pound, the public would then be brought to see they had the quantity of bread they purchased. The only use now made of the penal law is, the encouragement given to the common informer, and I should think I am speaking within bounds when I say, that since the passing of the late Act of Parliament, among the London bakers, from three to four hundred informations have been exhibited at the public office in Worship-street, Lambeth-street and Shadwell, exclusive of several convictions before the Reverend Dr. Owen at Highgate, and John Hanson, esq. Hammersmith. The informers, having in some degree been frustrated by solicitors at times attending to answer the complaints, they have now entered into an agreement with many of the bakers, some of whose names I have now with me, to pay them from three shillings per week to a pound per month, to remain unmolested by the informers, and they regularly call upon them for it. I have also in my possession, the names of three persons in Norton Falgate and Shoreditch, who have refused to comply with the demand; therefore, under all the various views in which I have viewed the subject for two or three years past, I am satisfied the public would be benefited by the repeal of the present laws, changing the system of the sale of bread altogether, by selling it by the pound weight.

What is the disadvantage the public labour under, under the circumstances you have mentioned?—That those men who pay a certain sum to the informer to be exempt, naturally must make their bread deficient, to make good those compensations, and to a much greater extent of course they will do it.

Is there only one informer?—Many.

Do

Do they become a club; and do they divide the money between them?—Yes, they do.

Without considerable loss, is it possible for a baker to avoid occasionally making his loaves under weight?—It is impossible.

How can you dispose of those loaves unintentionally light, without being liable to be informed against?—We cannot dispose of them without being liable to be informed against.

Can you, or do you ever offer them as loaves under weight?—Never.

Then if the public do buy them, they buy them at the price of loaves the right weight, though they are under weight?—They buy them as loaves of the regular weight.

You sell them, with others, to your customers, without weighing them?—Yes.

Under the present laws, there is no day then in which a baker is not liable to be informed against, as it is almost certain he must have some loaves unintentionally light?—He is every day liable to be informed against.

Is there any inconvenience to the baker from the present system, except that that arises from the fear of those informers?—None.

Is there any object that would be gained by them, except release from this fear?—None; but I think the public would be benefited by it. I think bread would be cheaper by being sold by weight.

In what way do you conceive the public would be benefited by an alteration of the law enacting the sale of bread by weight?—By the bread being sold at a cheaper rate per pound, as illustrated in the following statement:

	£.	s.	d.
By the assize law repealed by 59 Geo. III, c. 36, a sack of flour produces 347 lbs. 8 oz. of bread, which at 2 ¼ *d.* per lb. is	3	5	0 ¾
Present price of flour per sack	2	15	0
Baker's profit	0	13	4
	3	8	4
If sold at 2 ¼ *d.* per lb.	3	5	0 ¾
In favour of the public, per sack	0	3	4 ¾
374 lbs. 8 oz. of bread at 2 ½ *d.*	3	12	3 ½

Would give the baker a profit of 17*s.* 3 ½ *d.* per sack.

Does not bread badly made, or of a bad quality, weigh heavier than good?—Certainly.

If bread was sold by the pound would it not be an inducement to the fraudulent baker to mix inferior and heavier materials than are usually employed?—I think not; I think it impossible.

Do you conceive that the alteration in the law would hold out greater inducements to adulterate bread than the present one?—I do not.

You conceive that the alteration in the law would make no alteration in the practice?—No, not in the practice.

Do the bakers, generally speaking, heat their ovens to the same degree of heat?—Yes.

What test do you go by?—We judge by the appearance of the crown of the oven.

How many hours is a batch of bread left in the oven?—Two hours by the respectable bakers, to bake it well.

Supposing a batch of bread was left in the oven but one hour and a half, would it not weigh considerably more than if baked two hours?—Certainly.

Then would not the selling bread by the pound act as an inducement to the fraudulent baker to draw his oven at an earlier period than he would otherwise do?—Not more than at the present time, because if he had his bread so continually under baked his customers would not buy it.

Then if he drew his batch of bread at an hour and a half he would have no other advantage than under the present system of selling bread?—No other.

What do you think would be the effect of repealing all the laws whatever, respecting the sale of bread, leaving it open, as butcher's meat and other articles?—Beneficial to the public, as is proved by the paper before the Committee.

To a baker baking thirty sacks of flour, would it not be necessary to have extra men for the purpose of weighing out the bread, and would not that enhance the price to the public?—I think not, there would be no occasion for any additional expense to the baker.

(B.)
Minutes of Evidence.

Mr. *William Goodman*.

Mr. *William Goodman*; Called in; and Examined.

ARE you in trade?—I am, as a baker.

Where do you live?—Tyson-street, Bethnal Green.

Do you know of any instance, in which bread is sold by the pound?—I do not know an instance of that kind; I know an instance of priced bread, as far as relates to the penny, twopenny, and threepenny loaf, where the public have shown themselves quite on the alert; when bread became eightpence per quartern, the bakers in Shoreditch and its neighbourhood did not make their small bread of relative value with the quartern; two bakers, one of the name of Snellgrove, and the other Wallace, saw that the public had noticed it, and they brought their small bread out at par with the quartern; that is to say, when the quartern was eightpence, out of that they brought four twopenny loaves, larger than those their neighbours had been in the habit of baking, consequently they engrossed the whole of the small bread trade in the neighbourhood, and they retain it to this day.

Do you think it beneficial to the public that bread should be sold by weight?—I do.

For what reasons?—Because the public would, at the time they purchased the bread, be witness of the weight of bread delivered to them, and that the weight was what it purported to be.

In your experience as a baker in London, has any customer of your's required the bread to be weighed?—In two or three instances only in the course of seven years.

Would it be advantageous to the baker also to have bread sold by weight?—I think it could not be disadvantageous to him, but I think advantageous.

If so, why so?—If a baker sold his bread by weight, he would be paid for every ounce of bread he sold; whereas it frequently happens that the loaf which he sells, purporting to weigh four pounds five ounces and a half, weighs sometimes four pounds seven, and sometimes four pounds eight ounces; but he gets paid for four pounds five ounces only.

In what point of view do you think this practice of selling bread by weight would be beneficial to the community at large?—Because I am of opinion that the public would by such mode receive a protection from the frauds of the designing baker.

In what manner?—Because the customer would see that he had the quantity for which he paid.

Then does not it repeatedly happen, that the baker sells a loaf of only four pounds three ounces, purporting to weigh four pounds five ounces?—He does; but the average is considerably in favour of the public; I find, that by experiments I daily make upon my own bread, in weighing eight or nine loaves, by way of satisfaction as to the weight, I found generally an average in favour of the public, of four or five ounces.

What is the weight of dough?—Four pounds thirteen ounces.

Is that general throughout the trade?—I think it is.

By the present system, the public get more weight of bread than they ought to have?—I am persuaded they do.

Is not that compensated for, by the price you charge?—No.

How do you make it out, that it would be beneficial to the public, that the alteration should be made?—It might not in the aggregate; it would individually be beneficial.

But however advantageous to the public, some individuals must suffer?—Certainly.

You say the public never weigh the loaves, as now made?—No.

Taking it for granted, they are the right weight, would they not act in the same way, and take the loaves purporting to weigh three or four pounds, with the same want of caution, supposing bread should be sold by weight?—I think they would.

You think, that it would be absolutely necessary that it should be penal upon the baker to weigh every loaf as he sold it?—Yes.

To a baker, on an extended sale, would it not be necessary to have an extra man for the purpose of weighing out the bread?—They could not meet the extra trouble, with the same quantity of men.

Would not that then enhance the price to the public?—Naturally; inasmuch as it would cost more in the shape of labour; that observation, I mean to apply to very extensive businesses, thirty sacks a week and upwards; but I think there is no comparison in the efficacy of the price of the loaf, and the weight of the loaf. I think

in London, where the trade is so extensive, it would be the greatest protection to the public, although the baker might suffer in the first instance.

(B.) Minutes of Evidence.

Where less than thirty sacks a week were baked, it would make little or no difference?—The same hands would do that, and consequently no additional expense would be incurred.

Mr. William Goodman.

Have you been induced, in common with other bakers, to compound with informers, to avoid prosecution?—Never.

Have you known individuals that have?—I never had the thing proposed to me; but I know numbers that have; amongst the rest, Mr. Dunn, of Norton Falgate, Mr. Gozzard, of Shoreditch, and Mr. Dean, opposite the church, Shoreditch. These are all respectable men.

Veneris, 23° die Martii, 1821.

Mr. *Samuel Wymer*;

Called in; and Examined.

WHERE do you reside?—No. 378, Oxford-street.

Mr. Samuel Wymer.

Are you a baker by trade?—Yes.

In an extensive line of business?—In a pretty extensive line; I have three shops, one in the Strand, one in Oxford-street, and one in Leather-lane. I am a cheap baker.

Are there any inconveniences under the present system which affect your trade?—No, I should think not.

Do you mean to say you are not aware that you are liable to informations of a vexatious nature?—We are liable, if a customer wishes to know the weight of a quartern loaf, which we always weigh if we are required to do so; but if we were to refuse to weigh it, we should be liable to a penalty.

Are you not liable to an information if your bread is found deficient in weight?—I believe not, after the bread is taken out of the shop. I always endeavour to sell my bread full weight, and therefore am not afraid of an information.

Are you aware that, in point of fact, there is a bargain made with the informers in this town to avoid information?—I have heard of such a thing, but I do not know it of my own knowledge.

Is it not difficult to avoid occasionally making your loaves light weight?—Yes; we cannot have them all alike; sometimes in separating them a piece of one loaf will stick to another, though it is weighed in the batch before it goes into the oven, and the baker, in consequence, is liable to an information without any intention of fraud.

By the same rule those customers who buy the light loaves are injured?—Yes; and I have understood that informers have, after taking the bread from the baker's shop full weight, returned with it again three or four ounces deficient.

Have you ever been asked to weigh your bread by your customers?—Yes, I have been asked several times to weigh it in the shop; we always keep weights and scales in the shop, and are very often asked to weigh the bread.

And you have done so?—Yes.

Supposing, upon weighing the bread, there should be a deficiency in the weight, then what do you do?—Then we give another loaf, or make that one up full weight.

In case of a loaf not weighing the full weight, do you ever reduce the price upon it?—No we change it.

What then practically will become of this light loaf?—We should then split it and sell it at a reduced price; we always split them when they are short of weight, and sell them for something less; for instance, if we are selling the quartern loaf at ninepence, we should sell a quarter of the loaf we had split for twopence.

Do you conceive that selling the bread by the pound in London, would remedy the inconveniences you have stated?—No, I think it would be a very great inconvenience to sell by the pound; we should never be able to do business at all; we should be obliged to keep six people in the shop to sell the bread, if we sold it by weight.

Do you conceive there would be greater inconvenience than is experienced by the butchers and grocers, and others who sell by weight?—Yes; because they have more men to weigh the articles in the shop; our men are below in the bakehouse; it would not be absolutely impossible to do it, but there would be great inconvenience.

(B.) Minutes of Evidence.

Mr. Samuel Wymer.

If the bread were sold by weight, do you think that would act as an encouragement to fraudulent bakers to mix up inferior materials with their flour?—No, I do not think it would make any difference in that respect, whether it was sold by weight or not.

Could not a baker, by so mixing up materials, increase the weight of his bread?—No.

Bad bread weighs heavier than good, does it not?—No, it all weighs alike; bread that is made of inferior flour should weigh the same.

If all bread was weighed at the time it was delivered to the customers, would it be necessary to weigh it at any other time, either before or after the baking, supposing you were at liberty to sell it by the pound, to subdivide the pound into any sized loaf you may find it convenient to adopt, and to fix the price according to the weight of the loaf?—The bread could not be regularly baked if we were not to weigh it before we put it into the oven; that could not be done, and then it must be weighed afterwards if we were selling it by the pound.

Do you mean to say that you would not be able to shape the loaf with sufficient accuracy by your eye, to prevent the inconvenience you have stated?—We should not.

In what manner do you make rolls?—We weigh a quartern of dough, and break out a certain quantity by the eye.

Why should you not do the same with sufficient accuracy in respect to bread?—We always weigh the roll dough by the quartern, or we could not weigh it at all; and we always cut the rolls out by a guide.

Why should you not do the same with a bushel?—We could not weigh a bushel.

Why should you not do the same with half a bushel?—I could not conveniently weigh more than a quartern.

Where would be the inconvenience?—We should be obliged to get larger scales, we might weigh half a peck, we could not weigh more than that.

It would be inconvenient?—Yes.

Does it often happen that your ready money customers have their bread weighed?—Yes, very often.

You chiefly supply customers that come themselves?—Yes; we send no bread out.

What price do you sell your bread at now?—In the Strand at eightpence, and in Oxford-street at eightpence halfpenny; we are selling it too low at eightpence in the Strand, because we cannot afford to sell it at that price; according to the price at which flour is now, we ought to sell at ninepence.

Then what encouragement have you to carry on a trade which is a losing one by your own account?—I am obliged to supply my customers in the Strand and the neighbourhood from my shop in the Strand, and I am obliged to sell as my neighbours do there.

Does that proceed from competition?—Yes.

Is the bread you sell of the best quality?—Yes.

It appears, by your account, that your neighbours, the bakers, who sell at the same price, must lose by their trade?—Yes, I think they must be doing business at a loss.

Then how do you account for the practice?—From the competition, I suppose; but it will not last long.

Have you any other shop?—Yes, I have one in Leather-lane; my brother is in that shop; I have nothing to do as to selling the bread there, I only supply the shop with flour; I could not afford to sell my bread at the price I do in the Strand; if I did not go to the market and buy a large quantity together; I generally buy five or six hundred sacks at a time, and by that means I get it cheaper.

Is your's a ready money trade?—Yes, I sell all for ready money; I give no credit.

Mr. *George Turner*; called in; and Examined.

Mr. George Turner.

WHERE do you reside?—In Bishopsgate-street in the city.

You are a baker?—Yes, and a biscuit baker.

On an extensive scale?—No; about twenty sacks a week in the full price trade, including the whole.

Are you aware of any inconveniences under which the bakers labour, under the present law?—Under the present law there are difficulties arising from the practice of common informers.

Have the goodness to state those difficulties?—A common informer, upon purchasing

purchasing bread which is found deficient in weight, may have a conviction upon it; but he will compromise with the baker, who thus avoids the conviction.

And by those means induce those bakers to make their bread short of weight, by means of which the public are imposed upon?—Exactly so.

Are you of opinion that it is in the power of a baker, with fraudulent intentions, to impose upon the public?—Yes, certainly.

In what way?—By deficiency of weight.

Do not your customers require you to weigh the bread?—I believe they do not think that since the abolition of the assize laws, bakers are required to weigh their bread; I have not had half-a-dozen customers who have required it since the abolition of those laws; the public are not aware that we are bound to do it if they require it.

Are you a baker who deals with ready money customers?—I have a great many ready money customers; I do not suppose I have ever £.200 upon my books at a time; my business is principally among shopkeepers and tradesmen; and also among the poor.

Do you send out your bread, or serve it in your shop?—It is usually sent out.

Do you conceive that selling bread by the pound would obviate the inconveniences you have stated?—I certainly consider that there will be a convenience to the public and the baker both. At present we are bound to weigh the bread, if required so to do; if we are obliged to sell it by weight, I conceive it will be an advantage both to the public and to the fair trader.

Would it have the effect of raising the price of bread, from the necessity of employing a greater number of hands in your shop?—If I am to form a judgment, I think that would increase the price of bread, not altogether from the number of hands, not so much from that, as from the necessity there would be to see the bread weighed.

You mean to say, therefore, that if the bread was sold by weight, the same frauds would not take place in short weights, which take place at present?—Certainly.

The Committee are desirous of knowing, whether, in your opinion, another difficulty would not arise in selling by weight, in adjusting the money calculations, where there was a fraction of a pound?—Certainly not; because the bread being sold by the pound would never require any fractional parts of money beyond the fraction which the bread was sold at per pound. Having ascertained that the system adopted at Manchester is that of selling bread by the pound, and that it is conducted with great facility there, the difficulty I felt before I went there, is removed. The difference between the regular baker, the full price baker, and the cheap bread baker, was about a half-penny in the pound, which was nearly the same difference as existed between the full price baker and the cheap baker in London at the time.

You were about to state to the Committee the observations you made when you came to Manchester?—By seeing the facility with which the trade was conducted, I was satisfied that the same might be adopted in London.

In what does that facility consist at Manchester?—They have their bread made in certain sized loaves, such as two-pound loaves, four pound, six pound, and I think the largest I saw was eight pound. Those loaves were weighed invariably. If a person went in for an eight-pound loaf, an eight-pound loaf was put into the scale, and weighed; if it was deficient, a small piece was added from a loaf that was kept on the counter for the purpose, to make up the deficiency.

Then it appears, that they did not adjust the price of the loaf to the actual weight found to be in the scale?—Certainly not; they made it up full weight.

Do they, at Manchester, actually weigh every loaf to the customers, or do the customers take the loaves, on the credit that they are correct?—I was particular in making that inquiry; for my object was, to ascertain the nature of my own trade; and I found that it was the custom with the cheap-bread baker to weigh his loaf, taking the price he fixed, and making the loaf full weight. The baker who was the full-price baker did not weigh his loaf, but stood upon his credit.

In point of fact, do you mean to state, that every customer had his bread weighed out to him?—In the cheap-bread shops invariably.

Do you know two dealers in bread of Manchester, of the names of Ashton and Mancoll?—I cannot say that I do know either of them by name; very likely I have been in both their shops.

Do you think the practice of weighing bread would be regularly attended to, unless the strongest penalties were fixed to enforce it?—I am certain, that unless

(B.) Minutes of Evidence.

Mr. George Turner.

a penalty were attached, to compel the baker to weigh his loaf to his customer, it would not be done.

Then how do you account for its always being done at Manchester, where no such penalty exists?—They do it by custom; I cannot account for why they do it.

Then why do you think that the establishment of a similar custom elsewhere, should not produce the same effect?—Because never having been accustomed to buy their bread by the pound, I conceive that would be an obstacle.

Can you suggest to the Committee any mode by which bread could be sold with greater security to the public, and less inconvenience to the bakers?—No other mode besides selling by weight, except administering the law as it formerly was, to fix the weight of the loaf, leaving the price and quality to competition.

What law do you allude to?—I mean that act, commonly known in the trade by the name of the Average Act; the particular act I do not remember.

426.

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REPORT
FROM THE
SELECT COMMITTEE
On the existing Regulations relative to the making and the sale of
BREAD.

BIBL. LONDON EXIT